





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2016 DEC -6 PM 4:46

December 6, 2016

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *swt/fn*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Ben Holly *B.H.*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 October Quarterly Report (Non-Election Sensitive) in accordance with 52 U.S.C. § 30104(a). The October Quarterly Report was due on October 15, 2016.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report : no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2016 OCTOBER QUARTERLY Not Election Sensitive 10/15/2016 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3163	C00610113	CARLOS BERUFF FOR SENATE, INC.	CARLOS BERUFF	ERIC ROBINSON	\$17,448,849	0	11/2/2016	18	\$756,532	\$10,382
3164	C00554253	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	CHELSEA BONNECAZE	\$120,518	5		Not Filed	\$120,518 (est)	\$13,839
3165	C00613786	COWAN FOR CONGRESS, INC.	DANIEL COWAN	LEIGH ANN GILLIS	\$684,828	0		Not Filed	\$342,414 (est)	\$10,935
3166	C00612929	ERIN FOR US	ERIN AZARIA SCHRODE	JASON TERAMOTO	\$117,363	0		Not Filed	\$39,121 (est)	\$1,157
3167	C00606970	EUGENE FOR CONGRESS	EUGENE YU	ERIC YU	\$110,841	0		Not Filed	\$36,947 (est)	\$1,157
3168	C00254441	FATTAH FOR CONGRESS	CHAKA FATTAH	ROGER J. JACKSON, JR.	\$450,822	0		Not Filed	\$75,137 (est)	\$4,784
3169	C00593103	FRAZIER FOR COLORADO, INC.	RYAN LAVAR FRAZIER	TRAVIS MARTINEZ	\$837,702	0		Not Filed	\$209,426 (est)	\$8,885
3170	C00272732	FRIENDS OF CORRINE BROWN	CORRINE BROWN	GLORIA SIMMONS	\$1,113,322	0	10/26/2016	11	\$162,191	\$3,349
3171	C00581926	FRIENDS OF DENA	DENA GRAYSON	DUSTIN ANDERSEN	\$932,896	0		Not Filed	\$186,579 (est)	\$7,518
3172	C00550004	FRIENDS OF WARREN CHRISTOPHER	WARREN CHRISTOPHER	LETICIA CARROLL SMITH	\$370,756	0		Not Filed	\$61,793 (est)	\$3,691
3173	C00594150	JAMES MALONEY FOR CONGRESS	JAMES MALONEY	ILDI ERVIN	\$118,506	0		Not Filed	\$39,502 (est)	\$1,157
3174	C00600858	MARIA FOR AMERICA 2016	MARIA L. ESPINOZA	TIMOTHY J. LYNG	\$175,587	1		Not Filed	\$43,897 (est)	\$1,446
3175	C00603282	MIRZA FOR CONGRESS	ALI A. MIRZA	TARA MARIE BARBERA	\$113,205	0		Not Filed	\$37,735 (est)	\$1,157
3176	C00302422	RANGEL FOR CONGRESS	CHARLES B. RANGEL	DAVID A. PATERSON	\$301,124	0		Not Filed	\$50,187 (est)	\$3,691
3177	C00577882	VOGT FOR MARYLAND	DAVID E. VOGT III	DAVID VOGT	\$130,941	1		Not Filed	\$26,188 (est)	\$1,446
3178	C00612457	VOTE JERRY NATIVIDAD FOR US SENATE	JERRY NATIVIDAD	VERA ORTEGON	\$333,527	0	10/25/2016	10	\$15,019	\$197
3179	C00608083	WILDER FOR SENATE	SELLUS WILDER	LAVON RACHELLE CHATTIN	\$128,145	0		Not Filed	\$42,715 (est)	\$1,157

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Reason To Believe Recommendation –  
2016 October Quarterly Report (Non-  
Election Sensitive) for the Administrative  
Fine Program:

CARLOS BERUFF FOR SENATE INC, and ERIC ROBINSON as treasurer;	AF# 3163
CLAITOR FOR CONGRESS, and CHELSEA BONNECAZE as treasurer;	AF# 3164
COWAN FOR CONGRESS, INC., and GILLIS, LEIGH ANN as treasurer;	AF# 3165
ERIN FOR US, and TERAMOTO, JASON as treasurer;	AF# 3166
EUGENE FOR CONGRESS, and YU, ERIC MR. as treasurer;	AF# 3167
FATTAH FOR CONGRESS, and JACKSON, ROGER J MR JR as treasurer;	AF# 3168
FRAZIER FOR COLORADO INC, and TRAVIS MARTINEZ as treasurer;	AF# 3169
FRIENDS OF CORRINE BROWN, and SIMMONS, GLORIA as treasurer;	AF# 3170
FRIENDS OF DENA, and ANDERSEN, DUSTIN as treasurer;	AF# 3171
FRIENDS OF WARREN CHRISTOPHER, and SMITH, LETICIA CARROLL ESQ as treasurer;	AF# 3172
JAMES MALONEY FOR CONGRESS, and ERVIN, ILDI as treasurer;	AF# 3173
MARIA FOR AMERICA 2016, and TIMOTHY J LYNIG as treasurer;	AF# 3174
MIRZA FOR CONGRESS, and BARBERA, TARA MARIE as treasurer;	AF# 3175
RANGEL FOR CONGRESS, and PATERSON, DAVID A as treasurer;	AF# 3176
VOGT FOR MARYLAND, and VOGT, DAVID as treasurer;	AF# 3177
VOTE JERRY NATIVIDAD FOR US SENATE, and VERA ORTEGON as treasurer;	AF# 3178
WILDER FOR SENATE, and LAVON RACHELLE CHATTIN as treasurer;	AF# 3179

CERTIFICATION

I, Dayna C. Brown, Acting Secretary and Clerk of the Federal Election

Commission, do hereby certify that on December 09, 2016 the Commission took the following actions on the Reason To Believe Recommendation – 2016 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 06, 2016, on the following committees:

AF#3163 Decided by a vote of 6-0 to: (1) find reason to believe that CARLOS BERUFF FOR SENATE INC, and ERIC ROBINSON in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3164 Decided by a vote of 6-0 to: (1) find reason to believe that CLAITOR FOR CONGRESS, and CHELSEA BONNECAZE in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3165 Decided by a vote of 6-0 to: (1) find reason to believe that COWAN FOR CONGRESS, INC., and GILLIS, LEIGH ANN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3166 Decided by a vote of 6-0 to: (1) find reason to believe that ERIN FOR US, and TERAMOTO, JASON in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3167 Decided by a vote of 6-0 to: (1) find reason to believe that EUGENE FOR CONGRESS, and YU, ERIC MR. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3168 Decided by a vote of 6-0 to: (1) find reason to believe that FATTAH FOR CONGRESS, and JACKSON, ROGER J MR JR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3169 Decided by a vote of 6-0 to: (1) find reason to believe that FRAZIER FOR COLORADO INC, and TRAVIS MARTINEZ in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3170 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF CORRINE BROWN, and SIMMONS, GLORIA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3171 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF DENA, and ANDERSEN, DUSTIN in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3172 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF WARREN CHRISTOPHER, and SMITH, LETICIA CARROLL ESQ in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3173 Decided by a vote of 6-0 to: (1) find reason to believe that JAMES MALONEY FOR CONGRESS, and ERVIN, ILDI in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3174 Decided by a vote of 6-0 to: (1) find reason to believe that MARIA FOR AMERICA 2016, and TIMOTHY J LYNG in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3175 Decided by a vote of 6-0 to: (1) find reason to believe that MIRZA FOR CONGRESS, and BARBERA, TARA MARIE in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3176 Decided by a vote of 6-0 to: (1) find reason to believe that RANGEL FOR CONGRESS, and PATERSON, DAVID A in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

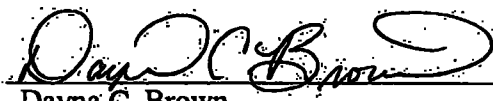
AF#3177 Decided by a vote of 6-0 to: (1) find reason to believe that VOGT FOR MARYLAND, and VOGT, DAVID his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3178 Decided by a vote of 6-0 to: (1) find reason to believe that VOTE JERRY NATIVIDAD FOR US SENATE, and VERA ORTEGON in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3179 Decided by a vote of 6-0 to: (1) find reason to believe that WILDER FOR SENATE, and LAVON RACHELLE CHATTIN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 9, 2016  
Date

  
Dayna C. Brown  
Acting Secretary and Clerk of the  
Commission





**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

December 9, 2016

Dustin Andersen, in official capacity as Treasurer  
Friends of Dena  
3956 Town Center Blvd. Suite 457  
Orlando, FL 32837

C00581926

AF#: 3171

Dear Mr. Andersen:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2016 through September 30, 2016, shall be filed no later than October 15, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On December 9, 2016, the FEC found that there is reason to believe ("RTB") that Friends of Dena and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 15, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$7,518. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$7,518 is due within forty (40) days of the finding, or by January 18, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$186,579  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or January 18, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## 2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Dena and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

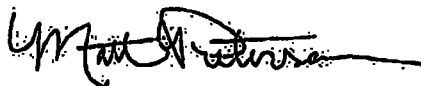
**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chair

**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$7,518 for the 2016 October Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

FOR: Friends of Dena

FEC ID#: C00581926

AF#: 3171

PAYMENT DUE DATE: January 18, 2017

PAYMENT AMOUNT DUE: \$7,518

January 18, 2017

Federal Election Commission  
Office of Administrative Review  
999 E St, NW  
Washington, DC 20463

Identification Number: C00581926  
AF#: 3171

Dear Commissioners:

I am writing in response to the Commission's letter to Friends of Dena, dated December 9, 2016. I am filing this response in lieu of making a payment, based on my understanding that such a written petition suspends the requirement for payment of a civil money penalty until the Commission renders its final determination.

The Committee was prevented from filing its October quarterly report in a timely manner by reasonably unforeseen circumstances that were beyond the Committee's control. On December 16, 2016, the Committee's October quarterly report was filed, less than 24 hours after these unforeseen circumstances were resolved.

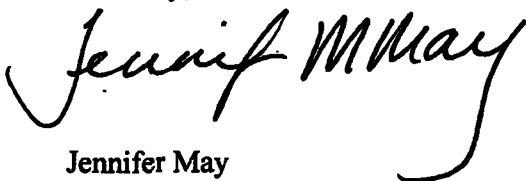
On January 8, 2017, a new Statement of Organization was filed by the new Treasurer, who will continue to file all required FEC reports in a timely manner.

Friends of Dena is a Candidate Committee that is tied to a non-active candidate and only raises funds to retire debt. The Committee's activity is very limited, and the proposed fine represents an amount that is significantly greater than its current cash-on-hand of less than \$1,000.

Given these facts, I respectfully request that the Commission consider reducing, eliminating or waiving the civil money penalty.

Thank you in advance for your consideration. If you have any questions, please contact the Committee.

Sincerely,

A handwritten signature in black ink that reads "Jennifer May". The signature is written in a cursive, flowing style. The first name "Jennifer" is written with a large, looped 'J' and the last name "May" is written with a large, looped 'M'.

Jennifer May  
Treasurer



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 13, 2017

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3171 – Friends of Dena and Dustin Andersen, in his official capacity as Treasurer (C00581926)

**Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$7,518 civil money penalty.

**Reason-to-Believe Background**

The 2016 October Quarterly Report was due on October 15, 2016. The respondents filed the report on December 16, 2016, 62 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On December 9, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 October Quarterly Report and made a preliminary determination that the civil money penalty was \$7,518 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on December 9, 2016 to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending September 30 no later than October 15. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On February 13, 2017, the Commission received the written response ("challenge") from Ms. Jennifer May.<sup>1</sup> Ms. May states:

The Committee was prevented from filing its October quarterly report in a timely manner by reasonably unforeseen circumstances that were beyond the Committee's control. On December 16, 2016, the Committee's October quarterly report was filed, less than 24 hours after these unforeseen circumstances were resolved.

Ms. May further explains that the Committee's activity is very limited, and it only raises funds to retire debt. She states that the proposed penalty is significantly more than the Committee's cash on hand of less than \$1,000. She requests that the Commission reduce or waive the civil money penalty.

## Analysis

The respondents' challenge contends they satisfied the "best efforts" defense. The "best efforts" defense is a two-part test: the respondents used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The Commission states in its *Explanation and Justification for Revised 11 CFR § 111.35(b)(3) – "Best Efforts" Defense*, 72 Fed. Reg. 14662, 14664-14666 (Mar. 29, 2007) that

...the respondents bear the burden of showing that the reasonably unforeseen circumstances in fact *prevented* the timely and proper filing of the required report...[T]his rule requires a strict causal relationship between the circumstances described in the challenge (such as a natural disaster) and the respondent's inability to file the report timely. It is not sufficient for reasonably unforeseen circumstances to make it merely more difficult than usual for the respondent to file on time...A respondent must show that the report was properly filed no later than 24 hours after the resolution of the circumstances preventing the timely filing... (emphasis included)

The respondents did not provide any explanation of the circumstance or provide evidence to support that the respondents filed the report within 24 hours of the end of the circumstance. Therefore, the "best efforts" defense does not succeed based on the facts presented in the challenge.

The Reviewing Officer recognizes the Committee's more recent activity is limited. However, the Committee was considerably active during the 2016 October Quarterly reporting period. At the time of the RTB finding, the Commission used an estimated level of activity (\$186,579) to calculate the penalty because the 2016 October Quarterly Report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The Committee filed the report on December 16, 2016, 62 days

<sup>1</sup> The challenge indicates that the Committee filed an Amended Statement of Organization on January 8, 2017 appointing Jennifer May as Treasurer. To date, the Commission has not received an Amended Statement of Organization reflecting this change. Therefore, the respondents in this matter remain Friends of Dena and Dustin Andersen, in his official capacity as Treasurer.

late. The report discloses \$109,307.96 in total receipts and \$213,858.84 in total disbursements. Therefore, the actual level of activity of the 2016 October Quarterly Report is \$323,166.80, greater than the estimated level of activity.

THEIR CHALLENGE fails to adequately address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 111.35(b). A committee's amount of cash on hand is also not considered. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$7,518 civil money penalty.

### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 3171 involving Friends of Dena and Dustin Andersen, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3171 that Friends of Dena and Dustin Andersen, in his official capacity as Treasurer, violated 52 U.S.C. § 00330104(a) and assess a \$7,518 civil money penalty; and
3. Send the appropriate letter.

### **Attachments**

- Attachment 1 –
- Attachment 2 – Declaration from RAD
- Attachment 3 – Declaration from OAR



**DECLARATION OF KRISTIN D. ROSER**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Friends of Dena:
  - A) Non-Filer Letter, dated November 1, 2016, referencing the 2016 October Quarterly Report (sent via electronic mail to: [info@denaforcongress.com](mailto:info@denaforcongress.com) and [info@feccomplianceinc.com](mailto:info@feccomplianceinc.com));
  - B) Reason-to-Believe Letter, dated December 9, 2016, referencing the 2016 October Quarterly Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Friends of Dena filed the 2016 October Quarterly Report with the Commission on December 16, 2016.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 15<sup>th</sup> day of February, 2017.

*Ben Helly for KDR*  
Kristin D. Roser  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

November 1, 2016

ANDERSEN, DUSTIN, TREASURER  
FRIENDS OF DENA  
3956 TOWN CENTER BLVD STE 457  
ORLANDO, FL 32837

IDENTIFICATION NUMBER: C00581926

REFERENCE: OCTOBER QUARTERLY REPORT (08/11/2016 - 09/30/2016)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

**FRIENDS OF DENA**

**Page 2 of 2**

If you have any questions regarding this matter, please contact Christopher Ritchie at our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,

*Debbie Chacona*

Deborah Chacona  
Assistant Staff Director  
Reports Analysis Division

250

201611010300067428

### DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee shall file a report for the quarter ending September 30 no later than October 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 15, 2016 for the 2016 October Quarterly Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover page, Summary and Detailed Summary Pages of the 2016 October Quarterly Report filed by Friends of Dena and Dustin Andersen, in his official capacity as Treasurer. The report includes the coverage period of August 11, 2016 through September 30, 2016 and was filed on December 16, 2016.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 13th day of April, 2017.

Rhiannon Magruder  
Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines.

12FE4M5

Friends of Dena

ADDRESS (number and street)

3956 Town Center Blvd

Ste 457

Check if different  
than previously  
reported. (ACC)

Orlando

FL

32837

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00581926

3. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)

STATE ▼ DISTRICT

FL

09

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

☐ April 15 Quarterly Report (Q1)☐ July 15 Quarterly Report (Q2)☒ October 15 Quarterly Report (Q3)☐ January 31 Year-End Report (YE)☐ Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

M M / D D / Y Y Y Y

in the  
State of

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

M M / D D / Y Y Y Y

in the  
State of

5. Covering Period

M M / D D / Y Y Y Y  
08 11 2016

through

M M / D D / Y Y Y Y  
09 30 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Andersen, Dustin, ..

Type or Print Name of Treasurer

Signature of Treasurer

Andersen, Dustin, ..

[Electronically Filed]

Date

M M / D D / Y Y Y Y  
12 16 2016

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office  
Use  
Only**FEC FORM 3**  
(Revised 05/2016)

# SUMMARY PAGE

of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 57

Write or Type Committee Name  
**Friends of Dena**

Report Covering the Period: From: <sup>M</sup>08 / <sup>D</sup>11 / <sup>Y</sup>2016

To: <sup>M</sup>09 / <sup>D</sup>30 / <sup>Y</sup>2016

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e)) ....	23307.96	443344.44
(b) Total Contribution Refunds (from Line 20(d)) .....	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)) .....	23307.96	443344.44
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17) .....	213808.84	611668.67
(b) Total Offsets to Operating Expenditures (from Line 14) .....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)) .....	213808.84	611668.67
8. Cash on Hand at Close of Reporting Period (from Line 27) .....	32625.77	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	249871.66	

## For further information contact:

Federal Election Commission  
 999 E Street, NW  
 Washington, DC 20463

Toll Free 800-424-9530  
 Local 202-694-1100

# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3 (Revised 05/2016)

PAGE 3 / 57

Write or Type Committee Name

Friends of Dena

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
0	8		1	1		2	0	1	6

To:

M	M	/	D	D	/	Y	Y	Y	Y
0	9		3	0		2	0	1	6

**I. RECEIPTS****COLUMN A**  
Total This Period**COLUMN B**  
Election Cycle-to-Date**11. CONTRIBUTIONS (other than loans) FROM:****(a) Individuals/Persons Other Than Political Committees**

(i) Itemized (use Schedule A).....

10600.00

335781.48

(ii) Unitemized.....

5907.96

11962.96

(iii) TOTAL of contributions from individuals ▶

16507.96

347744.44

**(b) Political Party Committees.....**

0.00

0.00

**(c) Other Political Committees (such as PACs).....**

6800.00

95600.00

**(d) The Candidate.....**

0.00

0.00

**(e) TOTAL CONTRIBUTIONS**

(other than loans)

(add Lines 11(a)(iii), (b), (c), and (d))..

23307.96

443344.44

**12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES .....**

0.00

0.00

**13. LOANS:****(a) Made or Guaranteed by the Candidate.....**

86000.00

201000.00

**(b) All Other Loans.....**

0.00

0.00

**(c) TOTAL LOANS**

(add Lines 13(a) and (b)).....

86000.00

201000.00

**14. OFFSETS TO OPERATING EXPENDITURES**

(Refunds, Rebates, etc.) .....

0.00

0.00

**15. OTHER RECEIPTS**

(Dividends, Interest, etc.) .....

0.00

0.00

**16. TOTAL RECEIPTS (add Lines**

11(e), 12, 13(c), 14, and 15)

(Carry Total to Line 24, page 4)..... ▶

109307.96

644344.44

NON-UNION

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 57

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	213808.84	611668.67
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES .....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans .....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS .....	50.00	50.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	213858.84	611718.67

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	137176.65
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	109307.96
25. SUBTOTAL (add Line 23 and Line 24).....	246484.61
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	213858.84
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	32625.77





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 13, 2017

Dustin Andersen  
Friends of Dena  
3956 Town Center Blvd., Suite 457  
Orlando, FL 32837

C00581926  
AF#: 3171

Dear Mr. Andersen:

On December 9, 2016, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Friends of Dena and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$7,518 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll-free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2017 MAY 25 PM 12:52

**SENSITIVE**

May 25, 2017

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *EWP/fm*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3171 – Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer (C00581926)

On December 9, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 October Quarterly Report and made a preliminary determination that the civil money penalty was \$7,518 based on the schedule of penalties at 11 C.F.R. § 111.43.

On February 13, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated April 13, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$7,518 civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The Candidate submitted a response indicating the Committee accepted the ROR and enclosed payment of the recommended civil money penalty of \$7,518.

PLEASE NOTE, on May 16, 2017, the Committee filed an Amended Statement of Organization listing Shawn Shahzad as the Committee's new Treasurer. Therefore, the respondents in this matter are now Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer.

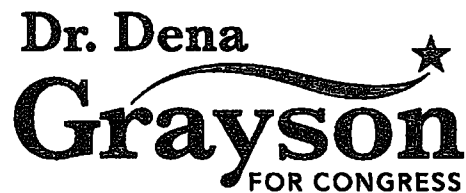
#### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 3171 involving Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3171 that Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, violated 52 U.S.C. § 00330104(a) and assess a \$7,518 civil money penalty; and
3. Send the appropriate letter.

#### **Attachments**

Attachment 1 – Response to ROR

Attachment 2 – Amended Statement of Organization, filed 5/16/2017



Friends of Dena  
8815 Conroy-Windermere Road  
Suite 372  
Orlando, FL 32835

May 19, 2017

Federal Election Commission  
Office of Administrative Review  
999 E St, NW  
Washington, DC 20463

Identification Number: C00581926  
Re: AF#: 3171

Dear Reviewing Officer Magruder,

I am writing in response to your letter to Friends of Dena, dated April 13, 2017. The Committee accepts your findings and withdraws any pending appeal. Please find enclosed a check from the Committee for \$7,518.

Sincerely,

Dena Grayson, MD, PhD

**PAGE 1 / 4**

**FEC  
FORM 1**

## STATEMENT OF ORGANIZATION

**Office Use Only**

1. NAME OF COMMITTEE (in full)

(Check if name  
is changed)

**Example: If typing, type over the lines.**

12FE4M5

## Friends of Dena

**ADDRESS** (number and street)

**8815 Conroy-Windermere Rd**

☐ (Check if address is changed)

Ste 372

## Orlando

FL

32835

CITY ▲

STATE A

ZIP CODE ▲

**COMMITTEE'S E-MAIL ADDRESS**

☐ (Check if address is changed)

**info@denaforcongress.com**

**Optional Second E-Mail Address**

**shawn@denaforcongress.com**

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address is changed)

**2. DATE**

05 : 10 : 2017

3. **FEC IDENTIFICATION NUMBER** ▶

**C** C00581926

4. IS THIS STATEMENT                      NEW (N)                      OR                      ☒                      AMENDED (A)

**I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.**

Type or Print Name of Treasurer **Shahzad, Shawn, . .**

**Signature of Treasurer**

**Shahzad, Shawn, , ,**

**[Electronically Filed]**

Date \_\_\_\_\_

M M / D D / Y Y Y Y  
05 16 2017

**NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.**

Office  
Use  
Only

**For further information contact:**  
**Federal Election Commission**  
**Toll Free 800-424-9530**  
**Local 202-694-1100**

**FEC FORM 1**  
(Revised 06/2012)

## 5. TYPE OF COMMITTEE

**Candidate Committee:**

- (a) ☒ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Grayson, Dena, , MD, PhD

Candidate Party Affiliation

DEM

Office Sought:

☒ House☐ Senate☐ President

State

FL

District

08

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

**Party Committee:**

- (d) ☐ This committee is a ☐ (National, State or subordinate) committee of the ☐ (Democratic, Republican, etc.) Party.

**Political Action Committee (PAC):**

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Corporation             | <input type="checkbox"/> Corporation w/o Capital Stock | <input type="checkbox"/> Labor Organization |
| <input type="checkbox"/> Membership Organization | <input type="checkbox"/> Trade Association             | <input type="checkbox"/> Cooperative        |
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- (f) ☐ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- ☐ In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

**Joint Fundraising Representative:**

- (g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

**Committees Participating in Joint Fundraiser**

- |    |                      |               |   |
|----|----------------------|---------------|---|
| 1. | <input type="text"/> | FEC ID number | C |
| 2. | <input type="text"/> | FEC ID number | C |
| 3. | <input type="text"/> | FEC ID number | C |
| 4. | <input type="text"/> | FEC ID number | C |

Write or Type Committee Name

Friends of Dena

## 6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor

## 7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Shahzad, Shawn, , ,

Mailing Address

8815 Conroy-Windermere Rd

Suite 372

Orlando

FL

32835

Title or Position

CITY

STATE

ZIP CODE

Treasurer

Telephone number

407

720

9987

## 8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer

Shahzad, Shawn, , ,

Mailing Address

8815 Conroy-Windermere Rd

Suite 372

Orlando

FL

32835

Title or Position  
Treasurer

CITY

STATE

ZIP CODE

Telephone number

407

720

9987

Full Name of  
Designated  
Agent

Mailing Address

Title or Position

Telephone number

## 9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Wells Fargo Bank

Mailing Address

3900 E. Village Center Drive

Orlando

FL

32837

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3171  
Final Determination Recommendation - )  
Friends of Dena and Shawn Shahzad, in )  
his official capacity as Treasurer )  
(C00581926) )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 08, 2017, the Commission decided by a vote of 5-0 to take the following actions in AF 3171:

1. Adopt the Reviewing Officer recommendation for AF# 3171 involving Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3171 that Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$7,518 civil money penalty.
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 8, 2017  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 9, 2017

Shawn Shahzad, in official capacity as Treasurer  
Friends of Dena  
8815 Conroy-Windermere Rd., Suite 372  
Orlando, FL 32835

C00581926  
AF# 3171

Dear Mr. Shahzad,

On December 9, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Dena and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2016 October Quarterly Report. By letter dated December 9, 2016, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$7,518 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On February 13, 2017, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Friends of Dena and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty in the amount of \$7,518 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on April 13, 2017.

On June 8, 2017, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Friends of Dena and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty of \$7,518. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the Final Determination Recommendation is attached.

On May 30, 2017, the Commission received your \$7,518 payment.

**If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during

the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther  
Chairman



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2017 MAY 25 PM 12:52

**SENSITIVE**

May 25, 2017

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *EWH for*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3171 – Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer (C00581926)

On December 9, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 October Quarterly Report and made a preliminary determination that the civil money penalty was \$7,518 based on the schedule of penalties at 11 C.F.R. § 111.43.

On February 13, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated April 13, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$7,518 civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The Candidate submitted a response indicating the Committee accepted the ROR and enclosed payment of the recommended civil money penalty of \$7,518.

Please note, on May 16, 2017, the Committee filed an Amended Statement of Organization listing Shawn Shahzad as the Committee's new Treasurer. Therefore, the respondents in this matter are now Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer.

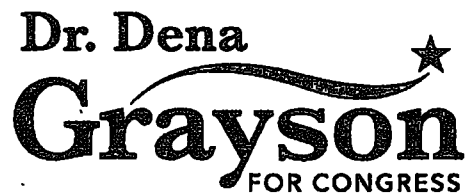
#### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 3171 involving Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3171 that Friends of Dena and Shawn Shahzad, in his official capacity as Treasurer, violated 52 U.S.C. § 00330104(a) and assess a \$7,518 civil money penalty; and
3. Send the appropriate letter.

#### **Attachments**

Attachment 1 – Response to ROR

Attachment 2 – Amended Statement of Organization, filed 5/16/2017



Friends of Dena  
8815 Conroy-Windermere Road  
Suite 372  
Orlando, FL 32835

May 19, 2017

Federal Election Commission  
Office of Administrative Review  
999 E St, NW  
Washington, DC 20463

Identification Number: C00581926  
Re: AF#: 3171

Dear Reviewing Officer Magruder,

I am writing in response to your letter to Friends of Dena, dated April 13, 2017. The Committee accepts your findings and withdraws any pending appeal. Please find enclosed a check from the Committee for \$7,518.

Sincerely,

Dena Grayson, MD, PhD

**FEC  
FORM 1**

## STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full)

(Check if name  
is changed)

**Example: If typing, type over the lines.**

12FE4M5

## Friends of Dena

**ADDRESS** (number and street)

**8815 Conroy-Windermere Rd**

☐ (Check if address is changed).

Ste 372

## Orlando

CITY ▲

FL

STATE A

**, 32835**

ZIP CODE ▲

**COMMITTEE'S E-MAIL ADDRESS**

☐ (Check if address is changed)

**[info@denaforcongress.com](mailto:info@denaforcongress.com)**

**Optional Second E-Mail Address**

**Optional Second E-Mail Address**  
**|shawn@denaforcongress.com**

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address is changed)

**2. DATE**

05 : 10 : 2017

3. **FEC IDENTIFICATION NUMBER** ▶

**C C00581926**

4. IS THIS STATEMENT

NEW (N)

**OR**

**x**

**AMENDED (A)**

**I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.**

Type or Print Name of Treasurer **Shahzad, Shawn, . .**

**Signature of Treasurer**

**Shahzad, Shawn, , ,**

**[Electronically Filed]**

Date \_\_\_\_\_

M M / D D / Y Y Y Y  
05 16 2017

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.  
 ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office  
Use  
Only

**For further information contact:**  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-694-1100

**FEC FORM 1**  
(Revised 06/2012)

## 5. TYPE OF COMMITTEE

**Candidate Committee:**

- (a) ☒ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Grayson, Dena, , MD, PhD

Candidate Party Affiliation

DEM

Office Sought:

☒

House

Senate

President

State

FL

District

08

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

**Party Committee:**

- (d) ☐ This committee is a ☐ (National, State or subordinate) committee of the ☐ (Democratic, Republican, etc.) Party.

**Political Action Committee (PAC):**

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Corporation             | <input type="checkbox"/> Corporation w/o Capital Stock | <input type="checkbox"/> Labor Organization |
| <input type="checkbox"/> Membership Organization | <input type="checkbox"/> Trade Association             | <input type="checkbox"/> Cooperative        |
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- (f) ☐ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- ☐ In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

**Joint Fundraising Representative:**

- (g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

**Committees Participating in Joint Fundraiser**

- |    |                          |               |   |
|----|--------------------------|---------------|---|
| 1. | <input type="checkbox"/> | FEC ID number | C |
| 2. | <input type="checkbox"/> | FEC ID number | C |
| 3. | <input type="checkbox"/> | FEC ID number | C |
| 4. | <input type="checkbox"/> | FEC ID number | C |



Write or Type Committee Name

Friends of Dena

## 6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship:

☐ Connected Organization☐ Affiliated Committee☐ Joint Fundraising Representative☐ Leadership PAC Sponsor

## 7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Shahzad, Shawn, . .

Mailing Address

8815 Conroy-Windermere Rd

Suite 372

Orlando

FL

32835

Title or Position

CITY

STATE

ZIP CODE

Treasurer

Telephone number

407

720

9987

## 8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer

Shahzad, Shawn, . .

Mailing Address

8815 Conroy-Windermere Rd

Suite 372

Orlando

FL

32835

Title or Position  
Treasurer

CITY

STATE

ZIP CODE

Telephone number

407

720

9987

Full Name of  
Designated  
Agent

Mailing Address

Title or Position

Telephone number

## 9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Wells Fargo Bank

Mailing Address

3900 E Village Center Drive

Orlando

FL

32837

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE

<https://www.treaslockbox.gov/TREASLBX/jsps/cira/ViewImagesBody.jsp?irn=PUSB0317...> 6/9/2017

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3171

WINN-DIXIE